



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF CLINICAL SOCIAL WORK EXAMINERS

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PUBLIC MEETING MINUTES:	BOARD OF CLINICAL SOCIAL WORK EXAMINERS
MEETING DATE AND TIME:	Monday, February 19, 2018 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
MINUTES FOR APPROVAL:	March 19, 2018

MEMBERS PRESENT

John Mucha, Professional Member, **President**, Presiding
Kyla Gleockler, Public Member **Vice President**
Dajoun Sewell, Public Member, **Secretary**
Linda Brittingham, Professional Member
Precious Benson, Public Member
Dr. Fran Franklin, PhD, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Nicole Williams, Administrative Specialist III

MEMBERS ABSENT

Daphne Warner

ALSO PRESENT

Dr. Marlene Saunders, National Association of Social Workers, Delaware Chapter (NASW-DE)
Lorena Harnett, Court Reporter of Wilcox & Fetzer
John S. Malik, Esq.
Sachin Karnik, LCSW
Zoe Plerhoples, Deputy Attorney General
Angie Kogut, Deputy Attorney General
Dr. Sheridan Kingsberry, NASW-DE
Michelle Adams of Delaware State University
Kathleen Malone
Greta Kelly
Barbara Barr-Lodge of the DE Council on Gambling
Dr. Dolores Finger Wright
Florienda Scott-Cobb, LCSW

CALL TO ORDER

Mr. Mucha called the hearing to order at 9:07 a.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes from January 22, January 29 and January 30, 2018. Mr. Mucha moved, seconded by Ms. Gleockler, to approve all of the January minutes as written. By unanimous vote, the motion carried.

The Board continued with their regular agenda items until 9:30 a.m. for the continued hearing for Mr. Karnik.

UNFINISHED BUSINESS

Continued Disciplinary Hearing for Sachin Karnik, LCSW Case No.: 31-02-17 at 9:30 a.m.

Present: Lorena Hartnett, Court Reporter, John Malik, Esquire; Sachin Kanick; Zoe Plerhoples, DAG; Angie Kogut, DAG; Dr. Sheridan Kingsberry; Kathleen Malone., MSW; Greta K.; Aleisha J.; Eileen Kelly, DAG; Dr. Fran Franklin, LCSW; Dajoun Sewell, John Mucha, LCSW; Kyla Gleockler; Linda Brittingham, LCSW; Precious Benson

Others Present: Dr. Marlene Saunders

Ms. Kelly advised that the purpose of today's hearing as the continuance of the disciplinary hearing for Mr. Sachin Karnik, Case No. 31-02-17. The hearing began at 9:37 a.m. Mr. Malik entered into the record Respondent's Exhibit's 2 to 5 as stated below:

Exhibit 2 as a recorded conversation between Ms. Donna B and Mr. Karnik that was previously played before the Board

Exhibit 3 as a picture of the flute previously played by Mr. Karnik

Exhibit 4 as a picture of a deity icon, Lord Shiva

Exhibit 5 as a picture of Mala Beads

Mr. Malik called his first witness for the Respondent. Dr. Kingsberry was sworn in to testify. On direct examination, Mr. Malik questioned Dr. Kingsberry.

Mr. Malik entered into the record Mr. Karnik's PhD dissertation as Respondent's Exhibit 6 and Delaware State University's research project application as Respondent Exhibit 7.

On cross examination, Ms. Plerhoples questioned Dr. Kingsberry. On redirect, Mr. Malik questioned Dr. Kingsberry. On recross, Ms. Plerhoples questioned Mr. Karnik. On redirect, Mr. Malik questioned Dr. Kingsberry. The Board questioned Dr. Kingsberry. With no further questions, Dr. Kingsberry was released as a witness.

Mr. Karnik called Kathleen Malone as a witness. Ms. Malone was sworn in for the record. On direct examination, Mr. Malik questioned Ms. Malone. On cross examination, Ms. Plerhoples questioned Ms. Malone. On redirect, Mr. Malik questioned Ms. Malone. The State had no further questions for Ms. Malone. The Board questioned Ms. Malone. On recross, Mr. Malik questioned Ms. Malone. With no further questions, Ms. Malone was released as a witness. The Board took a brief recess.

Mr. Malik called Ms. Greta K. as a witness. Ms. Greta was sworn in for the record. On direct examination, Mr. Malik questioned Ms. Greta. The State objected to the testimony of Ms. Greta on the basis of the relevancy of the testimony of this case. Mr. Malik clarified the relevancy for the record. On cross examination, Ms. Plerhoples questioned Ms. Greta. On redirect, Mr. Malik questioned Ms. Greta. The Board questioned Ms. Greta. On redirect, Mr. Malik questioned Ms. Greta. On recross, Ms. Plerhoples questioned Ms. Greta. Mr. Malik objected to question of "nickname" of "divine goddess". Ms. Plerhoples clarified. On redirect, Mr. Malik questioned Ms. Greta. With no further questions, Ms. Greta was released as a witness.

Mr. Malik called Ms. Aleisha J. as a witness. Ms. Aleisha was sworn in for the record. On direct examination, Mr. Malik questioned Ms. Aleisha. Again, the State objected to the testimony of Ms. Aleisha on the basis of the relevancy of the testimony to this case. Mr. Malik clarified the relevancy for the record. The State requested that the direct examination be focused only on deep meditation. On redirect, Mr. Malik questioned Ms. Aleisha. The State again objected to Ms. Greta not fully understanding what deep meditation was. Mr. Malik requested to demonstrate a meditation session with Mr. Karnik and Ms. Aleisha. The State again objected to the relevancy to this case. The State's objection was sustained by the Board. On recross, Ms. Plerhoples questioned Ms. Aleisha. The Board questioned Ms. Aleisha. With no further questions, Ms. Aleisha was released as a witness.

Mr. Malik called Mrs. Rajni Karnik as a witness. Mrs. Karnik was sworn in for the record. On direct examination, Mr. Malik questioned Mrs. Karnik. The State objected to the witness's knowledge of a patient staying at Mr. Karnik's office as speculation. Mr. Malik clarified and continued to question Mrs. Karnik. On cross examination, Ms. Kogut questioned Mrs. Karnik. On redirect, Mr. Malik questioned Mrs. Karnik. The Board questioned Mrs. Karnik. On redirect, Mr. Malik questioned Mrs. Karnik. The Board further questioned Mrs. Karnik. With no further questions, Mrs. Karnik was released as a witness. The Board recessed for lunch at 12:15. The Board resumed at 1:02 p.m.

Mr. Malik resumed on redirect with questioning Mr. Karnik.

Mr. Malik entered into the record Respondent's Exhibit 9 as Hartford University's Doctorate Social Work course syllabus.

Mr. Malik paused his questioning of Mr. Karnik to call Ms. Shannon B. as a witness via telephone. Ms. Shannon was sworn in for the record. On direct examination, Mr. Malik questioned Ms. Shannon. On recross, Ms. Plerhoples questioned Ms. Shannon. The Board questioned Ms. Shannon. With no further questions, Ms. Shannon was released as a witness.

Mr. Malik again resumed his questioning with Mr. Karnik. Mr. Malik entered into the record Respondent Exhibit 10 as series of pictures of Mr. Karnik's 201 Michelle Court office address and Respondent Exhibit 11 as Mr. Karnik's pardon documentation dated May 5, 2014. The Board took a brief break.

Mr. Malik resumed questioning on redirect. Mr. Malik entered into the record Respondent Exhibit 12 (redacted) as a letter from the law office of Laffey Bucci Kent addressed to Mr. Karnik for a request of records on client Donna B. The State had no questions for Mr. Karnik. The Board questioned Mr. Karnik. There were no further questions for Mr. Karnik.

The State provided their closing statement. The State argued that by the burden of preponderance of evidence the Board find Mr. Karnik has violated 24 Del. C. Sections 3915(a)(2) and (a)(5) and the following Board Rules: 9.1.1, 9.1.3, 9.1.5, 9.1.6, 9.2.1, 9.3.1, 9.4.1, and 9.4.3. The State rested.

Mr. Malik provided his closing statements. Mr. Malik argued that Mr. Karnik may have violated some therapist/patient boundary regulations; however there was no burden of preponderance of evidence substantiated by the State in all of the allegations against Mr. Karnik. The Board took a short break.

After the short break Ms. Kelly advised the Board to read over the complaint, which is State's Exhibit 1. The Board went into deliberations at 4:31 p.m.

Ms. Sewell moved, seconded by Ms. Benson, to find that the State proved by burden of preponderance the allegations set forth in the complaint paragraphs 6, 7, 9 to 13, 15 to 21, 23, paragraphs 24 and 25 excluding the references to money, and paragraph 26. The State proved by burden of preponderance that Mr. Karnik violated 24 Del. C. Sections 3915(a)(2) and (a)(5) with the following Board Rules: 9.1.1, 9.1.3, 9.1.5, 9.1.6 excluding sexual engagement with the client, 9.2.1, 9.3.1, and 9.4.3.

The Board discussed a minimum of 5 years' suspension effective March 1, 2018 and completion of 250 hours of continuing education in ethics and clinical documentation before the conclusion of the 5 year period of suspension and then after the 5 year period of suspension Mr. Karnik must petition the Board in writing with a request to lift the suspension in a hearing and at that time must submit a professional supervision plan. By unanimous vote, the motion carried. The hearing concluded at 6.50 p.m.

Review of PDP and Compliance Plan per Board Order for Pamela Davis, LCSW

The Board reviewed and considered the new supervision of Philip Thompson, LCSW for Ms. Davis's professional development plan. Mr. Mucha moved, seconded by Ms. Benson, to approve the PDP change of supervisor to Mr. Thompson. By unanimous vote, the motion carried.

Sign Final Orders from Hearing Officer Recommendations

The Board reviewed the final orders from the Hearing Officer recommendations for Jodi Fletcher and Rosa Barnes. Mr. Mucha signed the orders as Chair for the Board.

NEW BUSINESS

Ratification of Application(s) to Sit for the ASWB Clinical Exam

Mr. Mucha moved, seconded Ms. Sewell, by to amend the agenda to add Maurice Hunter to the below list of names and then to ratify the below application(s) to sit for the ASWB clinical exam. By unanimous vote, the motion carried.

1. Abigail Fischer
2. Jade Francis
3. Jennifer Saloski
4. Emily White
5. Maurice Hunter

Status of Complaints

There were no complaint updates.

CORRESPONDENCE

There was no correspondence before the Board.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

Mr. Mucha discussed with the Board that Dr. Franklin suggested renaming the current social work bill, HB311. Ms. Kelly advised that renaming a legislative bill is not custom for the Division and cannot be submitted directly from the Board. The Board will look into their other options for renaming HB311.

Ms. Brittingham advised that HB208 was recently signed by the Governor, which was a bill to change language regarding Long Term Care facilities. The LTC facilities would like to be considered in the social work bill as an exemption.

There was no further discussion of other business by the Board.

PUBLIC COMMENT

Dr. Saunders advised that currently HB311 is with the House Committee. She spoke with Representative Bolden and all members of Sunset approve of the bill and most likely all members of the House will approve as well which in turn will move the bill forward to the next level. Mr. Mucha moved, seconded by Dr. Franklin

to move from the regular Board meeting to start the continuance of the Karnik hearing. By unanimous vote, the motion carried. See minutes above under "unfinished business."

NEXT MEETING DATE

The next meeting is scheduled for March 19, 2018 at 9:00 a.m. in Conference Room A, of the Cannon Building, 861 Silver Lake Boulevard, Suite 203, Dover, Delaware.

ADJOURNMENT

Ms. Sewell moved, seconded by Dr. Franklin, to adjourn the meeting. There being no further business before the Board, the meeting adjourned at 6:50 p.m.

Respectfully submitted,



Nicole M. Williams
Administrative Specialist III
Delaware Board of Clinical Social Work Examiners

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.